

INFORMATION DISCLOSURE CITATION
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RECEIVED
OCT 15 2001
TC 1700

Atty. Docket No.	09/902831	Application No.	09/902831
Applicant	Roland DE LA METTRIE et al.		
Filing Date	July 16, 2001	Group Art Unit	1751

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

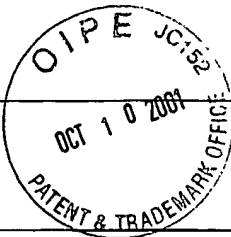
Document Number	Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Letter from Mr. Charles J. Zeller to Mr. Thomas L. Irving, re: polyurethane patent application, 1 page, May 19, 2000.
<i>lmb</i>	Aculyn personal care polymers - Thickener Applications, (Aculyn 22, 33 and 44) March 1994, 2 pages.
	Aculyn personal care polymers - Aculyn 44 cosmetic grade rheology modifier and stabilizer, 8 pages, July 1994.
	Aculyn personal care polymers - thickener applications (Aculyn 22, Aculyn 33, and Aculyn 44), 2 pages, July 1994.
	Aculyn personal care polymers - Aculyn Thickeners and Stabilizers for Personal Care, (Aculyn 22, 33 and 44) July 1994, 7 pages.
	Aculyn personal care polymers - Thickeners and Stabilizers for Personal Care, (Aculyn 22, 33 and 44) May 1995, 8 pages.
	Acrysol 44 Cosmetic Grade, Rheology Modifier and Stabilizer, ^{Oct.} 1995, 7 pages.
	Aculyn personal care polymers - Aculyn 44 cosmetic grade, rheology modifier and stabilizer, June 1996, 6 pages.
	Aculyn personal care polymers - Aculyn thickeners and stabilizers for personal care, (Aculyn 22, 33 and 44) May 1996, 7 pages.
<i>X</i>	Formulation Chemicals, Developmental Rheology Modifier SA-229N, 1993, 4 pages, no month available

Examiner	<i>Lynn M. Dwyer</i>	Date Considered	<i>10-21-01</i>
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TC 1700
09/904,831

Atty. Docket No.	05725.0219-04	Application No.	09/904,831
Applicant	Roland DE LA METTRIE et al.		
Filing Date	July 16, 2001	Group Art Unit	1751

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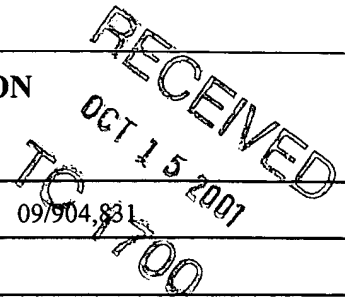
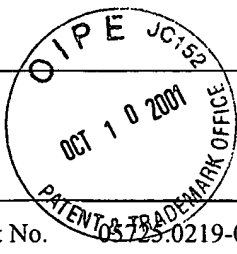
Document Number	Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

<i>and</i>	Aculyn personal care polymers - Rheology Modifiers for Personal Care Applications, Liquid Thickener/Stabilizers, March 1994, 2 pages.
	Aculyn personal care polymers - Cationic Cream Lotion Formulation, 2 pages, March 1994.
	Acrysol 44/Acrysol 46 - Thickeners and Stabilizers for Personal Care, Charles E. Jones Ph.D., 1 page, <i>no date available</i>
	Aculyn personal care polymers - Aculyn 46 Two-part Oxidative Hair Dye, 2 pages, April 1997.
	Aculyn personal care polymers - Aculyn 46 cosmetic grade rheology modifier and stabilizer, 7 pages, May 1997.
	Formulation Chemicals - Acrysol 46 cosmetic grade rheology modifier and stabilizer, 7 pages, April 1997.
	Aculyn personal care polymers - Aculyn 46 cosmetic grade rheology modifier and stabilizer, 8 pages, August 1997.
	Acrysol 44 - Cosmetic Grade Rheology Modifier and Stabilizer, Product Information, 7 pages, September 1994.
<i>↓</i>	Aculyn personal care polymers - Aculyn 44 Stabilizer/ Thickener for personal care applications, 9 pages including 5 pages of proposed formulations, March 1994.

Examiner	<i>Lorna M. Drayon</i>	Date Considered	<i>10-21-01</i>
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Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
<i>lmd</i>	6,022,381	02/08/00	DIAS et al.	8	406	
↓	6,004,355	12/21/99	DIAS et al.	8	406	

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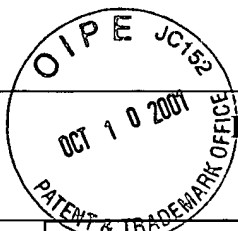
Document Number	Date	Country	Class	Sub Class	Translation Yes or No
<i>lmd</i>	WO 97/24106	7/10/97	WIPO	—	—
↓	WO 98/27941	7/02/98	WIPO	—	—
	WO 97/24107	7/10/97	WIPO	—	—
	WO 99/36047	7/22/99	WIPO	—	—
↓	WO 97/24105	7/10/97	WIPO	—	—

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<i>lmd</i>	May 27 (27 mai) 1994 letter from D. Boutet of Akzo Nobel to M. Maes of L'Oréal.(with translation).
	Letter from Mr. Raymond L. Schill to M. Bernard Langla, 1 page, August 8, 1995.
<i>lmd</i>	Letter from G. Deyber to Mme. Magnet re: Aculyn 46, 2 pages, October 27, 1998.

Examiner	<i>Lynn M. Gruym</i>	Date Considered	<i>10-21-01</i>
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Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
Lmk	4,398,045	08/09/83	SEBAG	568	624	
	4,533,545	08/06/85	SEBAG	8	405	
	4,180,491	12/25/79	KIM et al.	260	29.2	
	4,155,892	05/22/79	EMMONS et al.	260	29.2	
↓	4,402,700	09/06/83	FEINLAND et al.	8	416	

FOREIGN PATENT DOCUMENTS

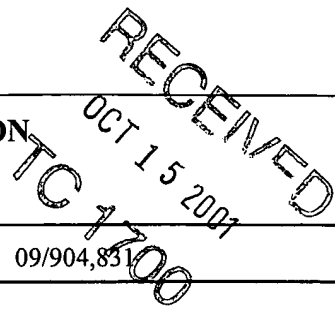
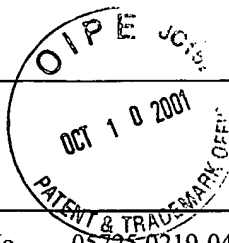
	Document Number	Date	Country	Class	Sub Class	Translation Yes or No
Lmk	EP 0 875557A2	11/04/98	EUROPE	—	—	
	EP 0 875557A3	06/30/99	EUROPE	—	—	
↓	FR 2 514 359	04/15/83	FRANCE	—	—	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Lmk	Letter from D. Boutet to Mme. Morin re: Elfacos, letter-1 page (with translation), attachments-3 pages (Ingredients for personal care - product information Elfacos T211 and T212, February 12, 1998.
	CTFA International Cosmetic Ingredient Dictionary, 4 th Edition, 1991, pp. 462-464, 656, 661.
↓	CTFA, International Cosmetic Ingredient Dictionary, 5 th edition, 1993, vol. 1, pp. 98-99, 174-175, 370-371, 432, and 764, plus two pages from on-line.

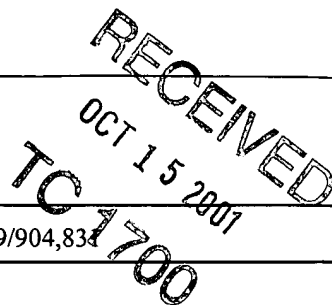
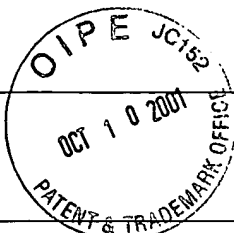
Examiner	Lynn M. Dwyer	Date Considered	10-21-01
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Applicant Roland DE LA METTRIE et al.						
Filing Date July 16, 2001		Group Art Unit 1751				
U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
<i>lmb</i>	5,104,646	04/14/92	BOLICH, Jr. et al.	8	405	
↓	5,500,021	03/19/96	COTTERET et al.	8	408	
FOREIGN PATENT DOCUMENTS						
	Document Number	Date	Country	Class	Sub Class	Translation Yes or No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
<i>lmb</i>	U.S. Patent Application 09/008,209 filed January 16, 1998, which is the priority application of published PCT application WO 99/36047 filed December 9, 1998.					
Examiner <i>Anna M. Bayon</i>		Date Considered <i>10-21-01</i>				
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						
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Atty. Docket No.	05725.0219-04	Application No.	09/904,834
Applicant	Roland DE LA METTRIE et al.		
Filing Date	July 16, 2001	Group Art Unit	1751

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
<i>lmb</i>	5,735,908	04/07/98	COTTERET et al.	8	410	
	5,851,237	12/22/98	ANDERSON et al.	8	409	
	5,849,042	12/15/98	LIM et al.	8	408	
	5,865,854	02/02/99	LIM et al.	8	408	
<i>Y</i>	5,916,967	06/29/99	JONES et al.	524	732	

FOREIGN PATENT DOCUMENTS

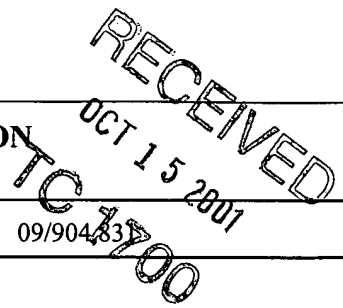
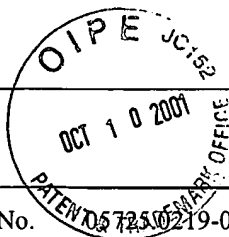
Document Number	Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

<i>lmb</i>	Dr. Yves Duccini, Pollena TSPK, Sympozjum Rohm & Haas, Warszawa, 10/93, 37, 10, 13 pages.
	Dr. Yves Duccini, Pollena TSPK, Sympozjum Rohm & Haas, Warszawa, 10/93, 37, 10, 13 pages. [Translation]
<i>Y</i>	Dr. Charles E. Jones, A Systemic Study of the Effect of Nonionic Hydrophobically-modified Ethoxylated Urethane Rheology Modifiers on Cationic Surfactants, Società, Italiana di Chimica e Scienze Cosmetologiche, November 25, 1993, p. 29-44.

Examiner	<i>Lynn M. Dwyer</i>	Date Considered	<i>10-21-01</i>
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Atty. Docket No. 057250219-04

Application No. 09/904,837

Applicant Roland DE LA METTRIE et al.

Filing Date July 16, 2001

Group Art Unit 1751

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	Translation Yes or No

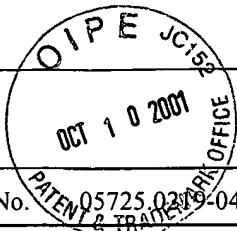
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Letter from Philippa Eke to the European Patent Office, dated May 4, 2000; 2 pages.
	Notice of Opposition to a European Patent with Payment of Fees and costs, 5 pages, dated May 4, 2000.
	Annex 1, Statement of Facts and Arguments by the Opponent, 19 pages, no date.
	Document A1 with Affidavit by Archibald Ahern, Jr. (dated April 27, 2000) with Exhibit A (certificate of registration), Exhibit B (letter from Diane McLeod dated June 28, 1996, which includes the COLOR MEMORY trademark application), Exhibit C (filing receipt), Exhibit D (memo from Anna Marena dated 6/17 (no year) with attached trademark application and 3 pages of invoices), Exhibit X (4 pages of copies of boxes), Exhibit Y (list of ingredients).
	Document A2 (list of ingredients for 8A light ash blonde).
	Document A3 (product information on Salcare SC90).
	Document A4 (Information Disclosure Statement for U.S. Application No. 08/859,257, filed March 24, 1998).
	Document A5 (Information Disclosure Statement for U.S. Application No. 08/859,257, received April 16, 1998).
	Document A6 (Second Preliminary Amendment for U.S. Application No. 08/859,257, received April 16, 1998).
<i>lmb</i>	Document A7 International Cosmetic Ingredient Dictionary and Handbook, seventh edition, 1997, vol. 2, page 1350X.

Examiner *John M. Snyon*

Date Considered *10-21-01*

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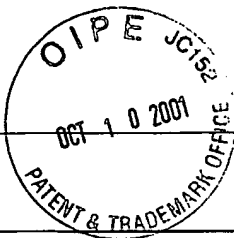
FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Document A8 (memo from A. Paster dated August 7, 1995 to Distribution, 3 pages)
	Document A9 (invoices, 6 pages)
	Document A10 (letter from Jing Zhu dated January 31, 1996, to Distribution with 20 pages of copies of boxes)
	Document A11 (batch production and control record dated 9-5-95)
	Document A12 (11 pages of computer printouts of ingredient codes)
	Document A13 (2 pages of product history cards)
	Document A14 (product description chart, 1 page)
	Document A15 (4 pages of photos of product, e-mail from Julie Blackburn dated April 11, 2000 to Cheryl Hobgood, with handwritten reply dated April 18, 2000)
	Document A16 (package development, dated 9-25-95, 9 pages)
lmt	Document A17 CTFA Cosmetic Ingredient Handbook, second edition, 1992, page 10
lmt	Document A18 Holden, Chris, <i>Formulating Hair and Skin Products More Effectively</i> , Specialty Chemicals, pages 21-23, no date; dialog search, 1 page

Examiner	Ann M. Smyon	Date Considered	10-21-01
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TTC 1700

Atty. Docket No.	05725.0219-04	Application No.	09/904,831				
Applicant				Roland DE LA METTRIE et al.			
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Group Art Unit				1751			

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
<i>lmd</i>	4,566,875	01/28/86	GROLLIER et al.	8	406	
	3,970,423	07/20/76	BRODY et al.	8	410	
<i>✓</i>	4,875,902	10/24/89	GROLLIER et al.	8	406	

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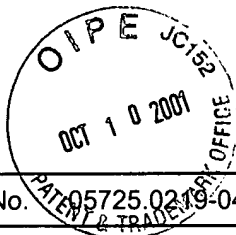
Document Number	Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Document A19 (letter from Barbara Huggins to Mr. Arthur Brandon dated June 28, 1994 with 8 pages of product information for Salcare SC90).
Document A20 (1 page of product information for Salcare SC90 with handwritten notes).
Document A21 (4 pages of product information for Salcare SC80).
Document A22 (1 page of product information for Aculyn 22 thickener/stabilizer, 1994).
Document A23 (2 pages of computer printout for Strawberry Blonde 7-R).
Document A24 (2 pages of computer printout for Light Ash Blonds 8A).
Dialog Search, 15 pages.

Examiner	<i>Lynn M. Lanyon</i>	Date Considered	10-21-01
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U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
<i>lmb</i>	3,530,215	09/22/70	Greif et al.	<i>424</i>	<i>70.16</i>	
	3,973,901	08/10/76	Micchelli et al.	<i>8</i>	<i>425</i>	
	3,990,991	11/09/76	Gerstein	<i>501</i>	<i>84</i>	
	4,217,914	08/19/80	Jacquet et al.	<i>8</i>	<i>426</i>	
	4,240,450	12/23/80	Grollier et al.	<i>8</i>	<i>406</i>	
	4,283,384	08/11/81	Jacquet et al.	<i>8</i>	<i>406</i>	
	4,445,521	05/01/84	Grollier et al.	<i>8</i>	<i>406</i>	
<i>↓</i>	4,526,781	07/02/85	Goldberg et al.	<i>424</i>	<i>70.21</i>	

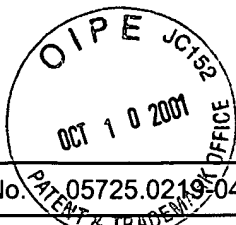
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Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
<i>lmb</i>	1,066,207	Great Britain	—	—	
	1,236,560	Great Britain	—	—	
	1,257,907	Great Britain	—	—	
	EP 133 905	EPO	—	—	
<i>↓</i>	EP 167 866	EPO	—	—	

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	Results from Dialog Search performed by Assignee, 83 pages
	Results from Dialog Search performed by Assignee, 19 pages
<i>lmb</i>	English Language Abstract of EP 0 673 641, 9/95
<i>↓</i>	English Language Abstract of JP 88-169574 2019576, 1/90

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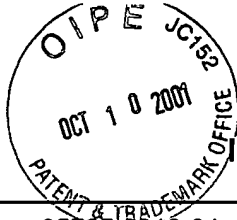
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Lmk ↓	4,530,830	07/23/85	McKaba et al.	424	70.2	
	4,567,038	01/28/86	Ciaudelli et al.	424	59	
	4,567,039	01/28/86	Stadnick et al.	132	70	
	4,714,610	12/22/87	Gerstein	424	70.27	
	4,776,855	10/11/88	Pohl et al.	8	406	
	4,839,166	06/13/89	Grollier et al.	424	70.13	
	4,973,475	11/27/90	Schnetzinger et al.	424	70.5	
	4,986,983	01/22/91	Gerstein	424	70.21	

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	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
Lmk ↓	EP 168 719	01/22/86	EPO	—	—	
	EP 216 479	08/24/94	EPO	—	—	
	EP 533 408	03/24/93	EPO	—	—	
	EP 673 641	09/27/95	EPO (w/Derwent Abstract)	—	—	X

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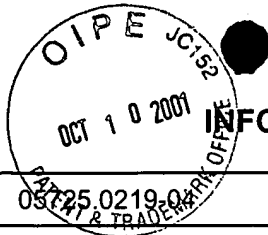
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<i>lmt</i>	5,071,441	12/10/91	Schnetzinger et al.	8	405	
	5,163,010	11/10/92	Klein et al.	364	479	
	5,290,555	03/01/94	Guthauser et al.	424	401	
	5,304,370	04/19/94	Hawkins et al.	132	205	
	5,306,489	04/26/94	Goldberg et al.	424	70.14	
	5,374,420	12/20/94	Gerstein	424	70.11	
	5,376,146	12/27/94	Casperson et al.	8	408	
<i>↓</i>	5,389,363	02/14/95	Snyder et al.	424	70.7	

FOREIGN PATENT DOCUMENTS						
	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
<i>lmt</i>	EP 0 412 705	02/13/91	EPO	—	—	
	EP 0 412 706	02/13/91	EPO	—	—	
	EP 0 412 710	02/13/91	EPO	—	—	
	EP 0 555 155	08/11/93	EPO	—	—	X
<i>↓</i>	EP 0 875 237	11/04/98	EPO	—	—	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
<i>lmt</i>	English Language Abstract of JP 94-333495 5163124, 6/93
<i>↓</i>	PCT Search Report for WO 98/03150, 1/98
	R&H Provisional Application 60/045,390 filed 5/2/98

Examiner	<i>Lorna M. Lanyon</i>	Date Considered	10-21-01
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INFORMATION DISCLOSURE CITATION

Atty. Docket No.	05725,0219,0	Serial No.	09/940,831
Applicant	Ronald De La METTRIE et al.		
Filing Date	July 16, 2001	Group:	1751

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

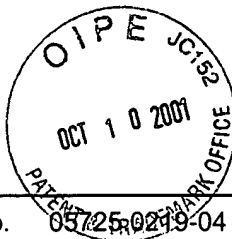
U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
<i>dmk</i>	5,391,368	02/21/95	Gerstein	424	70.13	
	5,393,305	02/28/95	Cohen et al.	8	406	
	5,443,855	08/22/95	Wolf et al.	424	401	
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	4,496,708	0/29/85	Dehm et al.	528	76	12/04/83
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<i>✓</i>	5,281,654	01/25/94	Eisenhart et al.	524	500	01/14/93

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		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	dmk	GB 2 124 081	02/15/94	United Kingdom	—	—	
	↓	FR 2 327 761	10/14/76	France	—	—	X
	↓	FR 2 446 633	01/19/79	France (w/Derwent Abstract)	—	—	X
	↓	FR 2 679 444	01/29/93	France	—	—	X
	↓	WO 91/15186	10/17/91	PCT	—	—	

Examiner	<i>Lynn M. Dwyer</i>	Date Considered	<i>10-21-01</i>
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INFORMATION DISCLOSURE CITATION

Atty. Docket No.	05725-0219-04	Serial No.	09/940,831
Applicant Ronald De La METTRIE et al.			
Filing Date	July 16, 2001	Group:	1751

U.S. PATENT DOCUMENTS

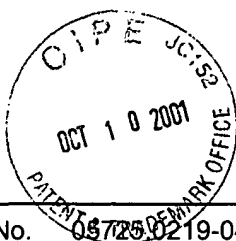
Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
<i>Lmk</i>	5,376,146	12/ 27/94	Casperson et al.	8	408	08/26/94
	5,700,456	12/ 23/97	Dubief et al.	424	70.17	04/24/95
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↓ JP 6-247833	09/06/94	Japan			Abstract

Examiner	<i>Lynn M. Dwyer</i>	Date Considered	10-21-01
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Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
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<i>dmh</i>	Aculyn® 44 Thickener/Stabilizer Information (6 pages), 1992
<i>dmh</i>	Ingredients for Personal Care, Product Information, Thickeners and Rheology Modifiers Elfacos® T 211 and Elfascos® T 212 (3 pages), no date available

Examiner	<i>Lynn M. Dwyer</i>	Date Considered	<i>10-21-01</i>
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